

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Christopher Michael DeLuca,

Plaintiff,

v.

Civil No. 10-2032 (JNE/FLN)
ORDER

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

In a Report and Recommendation dated May 25, 2011, the Honorable Franklin L. Noel, United States Magistrate Judge, recommended that Plaintiff's Motion for Summary Judgment be denied, that Defendant's Motion for Summary Judgment be granted, that the Commissioner's decision be affirmed, and that this case be dismissed with prejudice. Plaintiff objected to the Report and Recommendation. Defendant maintains that it should be adopted. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 20]. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Motion for Summary Judgment [Docket No. 6] is DENIED.
2. Defendant's Motion for Summary Judgment [Docket No. 15] is GRANTED.
3. The Commissioner's decision is AFFIRMED and this case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 5, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge